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1/29/01
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MELVIN SANDERS,

Petitioner

v.

R.M. REISH,

Respondent

: CIVIL ACTION NO. 1:CV-00-1866

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(Judge Rambo)

FILED
HARRISBURG, PA

JAN 29 2001

MARY E. D'ANDREA, CLERK
Per MA
Deputy Clerk

O R D E R

Petitioner Melvin Sanders filed this petition for writ of habeas corpus pursuant to Title 28 U.S.C. § 2241 in which he attacks a conviction and sentence imposed by the United States District Court for the Eastern District of New York. In accordance with United States v. Miller, 197 F.3d 644 (3d Cir. 1999) and Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000), Petitioner is advised that (1) he can have the petition ruled on as filed, (2) have his petition re-characterized as a § 2255 motion and heard as such, but lose his ability to file a second or successive petition absent certification by the Court of Appeals, or (3) withdraw his petition and file one all-inclusive § 2255 motion within the one-year statutory period prescribed by the Antiterrorism Effective Death Penalty Act.

Accordingly, IT IS HEREBY ORDERED THAT:

1. Petitioner shall within 45 days of the date of this order complete and file with the court the attached Notice of Election.

2. Failure of petitioner to comply with this order will result in the court ruling on the motion, document or pleading as captioned.


SYLVIA H. RAMBO

United States District Judge

Dated: January 29, 2001

SR:dlb

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 29, 2001

Re: 1:00-cv-01866 Sanders v. Reish

True and correct copies of the attached were mailed by the clerk
to the following:

Melvin Sanders
FCI-SCHUYLKILL
14136-053
P.O. Box 759
Minersville, PA 17954

cc:

Judge	(X)
Magistrate Judge	()
U.S. Marshal	()
Probation	()
U.S. Attorney	()
Atty. for Deft.	()
Defendant	()
Warden	()
Bureau of Prisons	()
Ct Reporter	()
Ctroom Deputy	()
Orig-Security	()
Federal Public Defender	()
Summons Issued	()
Standard Order 93-5	()
Order to Show Cause	()
Bankruptcy Court	()
PRSLC Belisario	(X)

with N/C attached to complt. and served by:
U.S. Marshal () Pltf's Attorney ()

with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()

MARY E. D'ANDREA, Clerk

DATE: January 29th, 2001

BY: 
Deputy Clerk